

FIRST REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 653

97TH GENERAL ASSEMBLY

1650L.06P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 99.845, 190.100, 190.300, 190.308, 190.400, 190.410, 190.420, 650.320, 650.325, and 650.330, RSMo, and to enact in lieu thereof twelve new sections relating to emergency services, with a penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 99.845, 190.100, 190.300, 190.308, 190.400, 190.410, 190.420, 650.320, 650.325, and 650.330, RSMo, are repealed and twelve new sections enacted in lieu thereof, to be known as sections 99.845, 190.098, 190.100, 190.300, 190.308, 190.400, 190.420, 190.450, 190.451, 650.320, 650.325, and 650.330, to read as follows:

99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment
16 project shall be allocated to and, when collected, shall be paid by the county collector to the
17 respective affected taxing districts in the manner required by law in the absence of the adoption
18 of tax increment allocation financing;

19 (2) (a) Payments in lieu of taxes attributable to the increase in the current equalized
20 assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected
21 for the redevelopment project and any applicable penalty and interest over and above the initial
22 equalized assessed value of each such unit of property in the area selected for the redevelopment
23 project shall be allocated to and, when collected, shall be paid to the municipal treasurer who
24 shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation
25 Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred
26 in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien
27 against the real estate of the redevelopment project from which they are derived and shall be
28 collected in the same manner as the real property tax, including the assessment of penalties and
29 interest where applicable. The municipality may, in the ordinance, pledge the funds in the
30 special allocation fund for the payment of such costs and obligations and provide for the
31 collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner
32 as a special assessment lien as provided in section 88.861. No part of the current equalized
33 assessed valuation of each lot, block, tract, or parcel of property in the area selected for the
34 redevelopment project attributable to any increase above the total initial equalized assessed value
35 of such properties shall be used in calculating the general state school aid formula provided for
36 in section 163.031 until such time as all redevelopment costs have been paid as provided for in
37 this section and section 99.850;

38 (b) Notwithstanding any provisions of this section to the contrary, for purposes of
39 determining the limitation on indebtedness of local government pursuant to article VI, section
40 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area
41 selected for redevelopment attributable to the increase above the total initial equalized assessed
42 valuation shall be included in the value of taxable tangible property as shown on the last
43 completed assessment for state or county purposes;

44 (c) The county assessor shall include the current assessed value of all property within
45 the taxing district in the aggregate valuation of assessed property entered upon the assessor's
46 book and verified pursuant to section 137.245, and such value shall be utilized for the purpose
47 of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri
48 Constitution;

49 (3) For purposes of this section, "levies upon taxable real property in such redevelopment
50 project by taxing districts" shall not include the blind pension fund tax levied under the authority

51 of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers'
52 inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of
53 the Missouri Constitution, except in redevelopment project areas in which tax increment
54 financing has been adopted by ordinance pursuant to a plan approved by vote of the governing
55 body of the municipality taken after August 13, 1982, and before January 1, 1998.

56 2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection
57 1 of this section, for redevelopment plans and projects adopted or redevelopment projects
58 approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total
59 additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing
60 districts, which are generated by economic activities within the area of the redevelopment project
61 over the amount of such taxes generated by economic activities within the area of the
62 redevelopment project in the calendar year prior to the adoption of the redevelopment project by
63 ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales
64 or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant
65 to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and
66 any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section
67 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local
68 political subdivision collecting officer to the treasurer or other designated financial officer of the
69 municipality, who shall deposit such funds in a separate segregated account within the special
70 allocation fund. Any provision of an agreement, contract or covenant entered into prior to July
71 12, 1990, between a municipality and any other political subdivision which provides for an
72 appropriation of other municipal revenues to the special allocation fund shall be and remain
73 enforceable.

74 3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection
75 1 of this section, for redevelopment plans and projects adopted or redevelopment projects
76 approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from
77 taxes, penalties and interest which are imposed by the municipality or other taxing districts, and
78 which are generated by economic activities within the area of the redevelopment project over the
79 amount of such taxes generated by economic activities within the area of the redevelopment
80 project in the calendar year prior to the adoption of the redevelopment project by ordinance,
81 while tax increment financing remains in effect, but excluding personal property taxes, taxes
82 imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels,
83 taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation
84 pursuant to section 94.660, **taxes imposed on sales pursuant to section 650.399 for the**
85 **purpose of emergency communication systems** licenses, fees or special assessments other than
86 payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county

87 with a charter form of government and with more than six hundred thousand but fewer than
88 seven hundred thousand inhabitants, for the purpose of sports stadium improvement or levied
89 by such county under section 238.410 for the purpose of the county transit authority operating
90 transportation facilities, shall be allocated to, and paid by the local political subdivision
91 collecting officer to the treasurer or other designated financial officer of the municipality, who
92 shall deposit such funds in a separate segregated account within the special allocation fund.

93 4. Beginning January 1, 1998, for redevelopment plans and projects adopted or
94 redevelopment projects approved by ordinance and which have complied with subsections 4 to
95 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes
96 described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues,
97 as defined in subsection 8 of this section, estimated for the businesses within the project area and
98 identified by the municipality in the application required by subsection 10 of this section, over
99 and above the amount of such taxes reported by businesses within the project area as identified
100 by the municipality in their application prior to the approval of the redevelopment project by
101 ordinance, while tax increment financing remains in effect, may be available for appropriation
102 by the general assembly as provided in subsection 10 of this section to the department of
103 economic development supplemental tax increment financing fund, from the general revenue
104 fund, for distribution to the treasurer or other designated financial officer of the municipality
105 with approved plans or projects.

106 5. The treasurer or other designated financial officer of the municipality with approved
107 plans or projects shall deposit such funds in a separate segregated account within the special
108 allocation fund established pursuant to section 99.805.

109 6. No transfer from the general revenue fund to the Missouri supplemental tax increment
110 financing fund shall be made unless an appropriation is made from the general revenue fund for
111 that purpose. No municipality shall commit any state revenues prior to an appropriation being
112 made for that project. For all redevelopment plans or projects adopted or approved after
113 December 23, 1997, appropriations from the new state revenues shall not be distributed from the
114 Missouri supplemental tax increment financing fund into the special allocation fund unless the
115 municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes
116 and fifty percent of economic activity taxes generated by the project shall be used for eligible
117 redevelopment project costs while tax increment financing remains in effect. This account shall
118 be separate from the account into which payments in lieu of taxes are deposited, and separate
119 from the account into which economic activity taxes are deposited.

120 7. In order for the redevelopment plan or project to be eligible to receive the revenue
121 described in subsection 4 of this section, the municipality shall comply with the requirements of
122 subsection 10 of this section prior to the time the project or plan is adopted or approved by

123 ordinance. The director of the department of economic development and the commissioner of
124 the office of administration may waive the requirement that the municipality's application be
125 submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or
126 project's approval by ordinance.

127 8. For purposes of this section, "new state revenues" means:

128 (1) The incremental increase in the general revenue portion of state sales tax revenues
129 received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated,
130 taxes deposited to the school district trust fund in accordance with section 144.701, sales and use
131 taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by
132 law. In no event shall the incremental increase include any amounts attributable to retail sales
133 unless the municipality or authority has proven to the Missouri development finance board and
134 the department of economic development and such entities have made a finding that the sales
135 tax increment attributable to retail sales is from new sources which did not exist in the state
136 during the baseline year. The incremental increase in the general revenue portion of state sales
137 tax revenues for an existing or relocated facility shall be the amount that current state sales tax
138 revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan
139 as provided in subsection 10 of this section; or

140 (2) The state income tax withheld on behalf of new employees by the employer pursuant
141 to section 143.221 at the business located within the project as identified by the municipality.
142 The state income tax withholding allowed by this section shall be the municipality's estimate of
143 the amount of state income tax withheld by the employer within the redevelopment area for new
144 employees who fill new jobs directly created by the tax increment financing project.

145 9. Subsection 4 of this section shall apply only to blighted areas located in enterprise
146 zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment
147 zones, or to blighted areas located in central business districts or urban core areas of cities which
148 districts or urban core areas at the time of approval of the project by ordinance, provided that the
149 enterprise zones, federal empowerment zones or blighted areas contained one or more buildings
150 at least fifty years old; and

151 (1) Suffered from generally declining population or property taxes over the twenty-year
152 period immediately preceding the area's designation as a project area by ordinance; or

153 (2) Was a historic hotel located in a county of the first classification without a charter
154 form of government with a population according to the most recent federal decennial census in
155 excess of one hundred fifty thousand and containing a portion of a city with a population
156 according to the most recent federal decennial census in excess of three hundred fifty thousand.

157

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of subsection 1 of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

- 194 (n) The anticipated type and term of the sources of funds to pay such development
195 project costs;
- 196 (o) The anticipated type and terms of the obligations to be issued;
- 197 (p) The most recent equalized assessed valuation of the property within the development
198 project area;
- 199 (q) An estimate as to the equalized assessed valuation after the development project area
200 is developed in accordance with a development plan;
- 201 (r) The general land uses to apply in the development area;
- 202 (s) The total number of individuals employed in the development area, broken down by
203 full-time, part-time, and temporary positions;
- 204 (t) The total number of full-time equivalent positions in the development area;
- 205 (u) The current gross wages, state income tax withholdings, and federal income tax
206 withholdings for individuals employed in the development area;
- 207 (v) The total number of individuals employed in this state by the corporate parent of any
208 business benefitting from public expenditures in the development area, and all subsidiaries
209 thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time,
210 and temporary positions;
- 211 (w) The number of new jobs to be created by any business benefitting from public
212 expenditures in the development area, broken down by full-time, part-time, and temporary
213 positions;
- 214 (x) The average hourly wage to be paid to all current and new employees at the project
215 site, broken down by full-time, part-time, and temporary positions;
- 216 (y) For project sites located in a metropolitan statistical area, as defined by the federal
217 Office of Management and Budget, the average hourly wage paid to nonmanagerial employees
218 in this state for the industries involved at the project, as established by the United States Bureau
219 of Labor Statistics;
- 220 (z) For project sites located outside of metropolitan statistical areas, the average weekly
221 wage paid to nonmanagerial employees in the county for industries involved at the project, as
222 established by the United States Department of Commerce;
- 223 (aa) A list of other community and economic benefits to result from the project;
- 224 (bb) A list of all development subsidies that any business benefitting from public
225 expenditures in the development area has previously received for the project, and the name of
226 any other granting body from which such subsidies are sought;
- 227 (cc) A list of all other public investments made or to be made by this state or units of
228 local government to support infrastructure or other needs generated by the project for which the
229 funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is

contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues.

190.098. 1. In order for a person to be eligible for certification by the department as a community paramedic, an individual shall:

(1) Be currently certified as a paramedic;

(2) Successfully complete or have successfully completed a community paramedic certification program from a college, university, or educational institution that has been approved by the department or accredited by a national accreditation organization approved by the department; and

(3) Complete an application form approved by the department.

9 **2. A community paramedic shall practice in accordance with protocols and**
10 **supervisory standards established by the medical director. A community paramedic shall**
11 **provide services of a health care plan if the plan has been developed by the patient's**
12 **primary physician or by an advanced practice registered nurse or a physician assistant and**
13 **there is no duplication of services to the patient from another provider.**

14 **3. Any ambulance service shall enter into a written contract to provide community**
15 **paramedic services in another ambulance service area, as that term is defined in section**
16 **190.100. The contract that is agreed upon may be for an indefinite period of time, as long**
17 **as it includes at least a sixty-day cancellation notice by either ambulance service.**

18 **4. A community paramedic is subject to the provisions of sections 190.001 to**
19 **190.245 and rules promulgated under sections 190.001 to 190.245.**

20 **5. No person shall hold himself or herself out as a community paramedic or provide**
21 **the services of a community paramedic unless such person is licensed by the department.**

22 **6. The medical director shall approve the implementation of the community**
23 **paramedic program.**

24 **7. Any rule or portion of a rule, as that term is defined in section 536.010, that is**
25 **created under the authority delegated in this section shall become effective only if it**
26 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**
27 **section 536.028. This section and chapter 536 are nonseverable and if any of the powers**
28 **vested with the general assembly pursuant to chapter 536 to review, to delay the effective**
29 **date, or to disapprove and annul a rule are subsequently held unconstitutional, then the**
30 **grant of rulemaking authority and any rule proposed or adopted after August 28, 2013,**
31 **shall be invalid and void.**

190.100. As used in sections 190.001 to 190.245, the following words and terms mean:

2 (1) "Advanced life support (ALS)", an advanced level of care as provided to the adult
3 and pediatric patient such as defined by national curricula, and any modifications to that curricula
4 specified in rules adopted by the department pursuant to sections 190.001 to 190.245;

5 (2) "Ambulance", any privately or publicly owned vehicle or craft that is specially
6 designed, constructed or modified, staffed or equipped for, and is intended or used, maintained
7 or operated for the transportation of persons who are sick, injured, wounded or otherwise
8 incapacitated or helpless, or who require the presence of medical equipment being used on such
9 individuals, but the term does not include any motor vehicle specially designed, constructed or
10 converted for the regular transportation of persons who are disabled, handicapped, normally
11 using a wheelchair, or otherwise not acutely ill, or emergency vehicles used within airports;

- 12 (3) "Ambulance service", a person or entity that provides emergency or nonemergency
13 ambulance transportation and services, or both, in compliance with sections 190.001 to 190.245,
14 and the rules promulgated by the department pursuant to sections 190.001 to 190.245;
- 15 (4) "Ambulance service area", a specific geographic area in which an ambulance service
16 has been authorized to operate;
- 17 (5) "Basic life support (BLS)", a basic level of care, as provided to the adult and pediatric
18 patient as defined by national curricula, and any modifications to that curricula specified in rules
19 adopted by the department pursuant to sections 190.001 to 190.245;
- 20 (6) "Council", the state advisory council on emergency medical services;
- 21 (7) "Department", the department of health and senior services, state of Missouri;
- 22 (8) "Director", the director of the department of health and senior services or the
23 director's duly authorized representative;
- 24 (9) "Dispatch agency", any person or organization that receives requests for emergency
25 medical services from the public, by telephone or other means, and is responsible for dispatching
26 emergency medical services;
- 27 (10) "Emergency", the sudden and, at the time, unexpected onset of a health condition
28 that manifests itself by symptoms of sufficient severity that would lead a prudent layperson,
29 possessing an average knowledge of health and medicine, to believe that the absence of
30 immediate medical care could result in:
- 31 (a) Placing the person's health, or with respect to a pregnant woman, the health of the
32 woman or her unborn child, in significant jeopardy;
- 33 (b) Serious impairment to a bodily function;
- 34 (c) Serious dysfunction of any bodily organ or part;
- 35 (d) Inadequately controlled pain;
- 36 (11) "Emergency medical dispatcher", a person who receives emergency calls from the
37 public and has successfully completed an emergency medical dispatcher course, meeting or
38 exceeding the national curriculum of the United States Department of Transportation and any
39 modifications to such curricula specified by the department through rules adopted pursuant to
40 sections 190.001 to 190.245;
- 41 (12) "Emergency medical response agency", any person that regularly provides a level
42 of care that includes first response, basic life support or advanced life support, exclusive of
43 patient transportation;
- 44 (13) "Emergency medical services for children (EMS-C) system", the arrangement of
45 personnel, facilities and equipment for effective and coordinated delivery of pediatric emergency
46 medical services required in prevention and management of incidents which occur as a result of
47 a medical emergency or of an injury event, natural disaster or similar situation;

48 (14) "Emergency medical services (EMS) system", the arrangement of personnel,
49 facilities and equipment for the effective and coordinated delivery of emergency medical services
50 required in prevention and management of incidents occurring as a result of an illness, injury,
51 natural disaster or similar situation;

52 (15) "Emergency medical technician", a person licensed in emergency medical care in
53 accordance with standards prescribed by sections 190.001 to 190.245, and by rules adopted by
54 the department pursuant to sections 190.001 to 190.245;

55 (16) "Emergency medical technician-basic" or "EMT-B", a person who has successfully
56 completed a course of instruction in basic life support as prescribed by the department and is
57 licensed by the department in accordance with standards prescribed by sections 190.001 to
58 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245;

59 (17) **"Emergency medical technician-community paramedic", "community**
60 **paramedic", or "EMT-CP", a person who is certified as an emergency medical technician-**
61 **paramedic and is licensed by the department in accordance with standards prescribed in**
62 **section 190.098;**

63 (18) "Emergency medical technician-intermediate" or "EMT-I", a person who has
64 successfully completed a course of instruction in certain aspects of advanced life support care
65 as prescribed by the department and is licensed by the department in accordance with sections
66 190.001 to 190.245 and rules and regulations adopted by the department pursuant to sections
67 190.001 to 190.245;

68 [(18)] (19) "Emergency medical technician-paramedic" or "EMT-P", a person who has
69 successfully completed a course of instruction in advanced life support care as prescribed by the
70 department and is licensed by the department in accordance with sections 190.001 to 190.245
71 and rules adopted by the department pursuant to sections 190.001 to 190.245;

72 [(19)] (20) "Emergency services", health care items and services furnished or required
73 to screen and stabilize an emergency which may include, but shall not be limited to, health care
74 services that are provided in a licensed hospital's emergency facility by an appropriate provider
75 or by an ambulance service or emergency medical response agency;

76 [(20)] (21) "First responder", a person who has successfully completed an emergency
77 first response course meeting or exceeding the national curriculum of the United States
78 Department of Transportation and any modifications to such curricula specified by the
79 department through rules adopted pursuant to sections 190.001 to 190.245 and who provides
80 emergency medical care through employment by or in association with an emergency medical
81 response agency;

82 [(21)] (22) "Health care facility", a hospital, nursing home, physician's office or other
83 fixed location at which medical and health care services are performed;

84 [(22)] (23) "Hospital", an establishment as defined in the hospital licensing law,
85 subsection 2 of section 197.020, or a hospital operated by the state;

86 [(23)] (24) "Medical control", supervision provided by or under the direction of
87 physicians to providers by written or verbal communications;

88 [(24)] (25) "Medical direction", medical guidance and supervision provided by a
89 physician to an emergency services provider or emergency medical services system;

90 [(25)] (26) "Medical director", a physician licensed pursuant to chapter 334 designated
91 by the ambulance service or emergency medical response agency and who meets criteria
92 specified by the department by rules pursuant to sections 190.001 to 190.245;

93 [(26)] (27) "Memorandum of understanding", an agreement between an emergency
94 medical response agency or dispatch agency and an ambulance service or services within whose
95 territory the agency operates, in order to coordinate emergency medical services;

96 [(27)] (28) "Patient", an individual who is sick, injured, wounded, diseased, or otherwise
97 incapacitated or helpless, or dead, excluding deceased individuals being transported from or
98 between private or public institutions, homes or cemeteries, and individuals declared dead prior
99 to the time an ambulance is called for assistance;

100 [(28)] (29) "Person", as used in these definitions and elsewhere in sections 190.001 to
101 190.245, any individual, firm, partnership, copartnership, joint venture, association, cooperative
102 organization, corporation, municipal or private, and whether organized for profit or not, state,
103 county, political subdivision, state department, commission, board, bureau or fraternal
104 organization, estate, public trust, business or common law trust, receiver, assignee for the benefit
105 of creditors, trustee or trustee in bankruptcy, or any other service user or provider;

106 [(29)] (30) "Physician", a person licensed as a physician pursuant to chapter 334;

107 [(30)] (31) "Political subdivision", any municipality, city, county, city not within a
108 county, ambulance district or fire protection district located in this state which provides or has
109 authority to provide ambulance service;

110 [(31)] (32) "Professional organization", any organized group or association with an
111 ongoing interest regarding emergency medical services. Such groups and associations could
112 include those representing volunteers, labor, management, firefighters, EMT-B's, nurses, EMT-
113 P's, physicians, communications specialists and instructors. Organizations could also represent
114 the interests of ground ambulance services, air ambulance services, fire service organizations,
115 law enforcement, hospitals, trauma centers, communication centers, pediatric services, labor
116 unions and poison control services;

117 [(32)] (33) "Proof of financial responsibility", proof of ability to respond to damages for
118 liability, on account of accidents occurring subsequent to the effective date of such proof, arising
119 out of the ownership, maintenance or use of a motor vehicle in the financial amount set in rules

promulgated by the department, but in no event less than the statutory minimum required for motor vehicles. Proof of financial responsibility shall be used as proof of self-insurance;

[(33)] (34) "Protocol", a predetermined, written medical care guideline, which may include standing orders;

[(34)] (35) "Regional EMS advisory committee", a committee formed within an emergency medical services (EMS) region to advise ambulance services, the state advisory council on EMS and the department;

[(35)] (36) "Specialty care transportation", the transportation of a patient requiring the services of an emergency medical technician-paramedic who has received additional training beyond the training prescribed by the department. Specialty care transportation services shall be defined in writing in the appropriate local protocols for ground and air ambulance services and approved by the local physician medical director. The protocols shall be maintained by the local ambulance service and shall define the additional training required of the emergency medical technician-paramedic;

[(36)] (37) "Stabilize", with respect to an emergency, the provision of such medical treatment as may be necessary to attempt to assure within reasonable medical probability that no material deterioration of an individual's medical condition is likely to result from or occur during ambulance transportation unless the likely benefits of such transportation outweigh the risks;

[(37)] (38) "State advisory council on emergency medical services", a committee formed to advise the department on policy affecting emergency medical service throughout the state;

[(38)] (39) "State EMS medical directors advisory committee", a subcommittee of the state advisory council on emergency medical services formed to advise the state advisory council on emergency medical services and the department on medical issues;

[(39)] (40) "STEMI" or "ST-elevation myocardial infarction", a type of heart attack in which impaired blood flow to the patient's heart muscle is evidenced by ST-segment elevation in electrocardiogram analysis, and as further defined in rules promulgated by the department under sections 190.001 to 190.250;

[(40)] (41) "STEMI care", includes education and prevention, emergency transport, triage, and acute care and rehabilitative services for STEMI that requires immediate medical or surgical intervention or treatment;

[(41)] (42) "STEMI center", a hospital that is currently designated as such by the department to care for patients with ST-segment elevation myocardial infarctions;

[(42)] (43) "Stroke", a condition of impaired blood flow to a patient's brain as defined by the department;

[(43)] (44) "Stroke care", includes emergency transport, triage, and acute intervention and other acute care services for stroke that potentially require immediate medical or surgical

156 intervention or treatment, and may include education, primary prevention, acute intervention,
157 acute and subacute management, prevention of complications, secondary stroke prevention, and
158 rehabilitative services;

159 [(44)] **(45)** "Stroke center", a hospital that is currently designated as such by the
160 department;

161 [(45)] **(46)** "Trauma", an injury to human tissues and organs resulting from the transfer
162 of energy from the environment;

163 [(46)] **(47)** "Trauma care" includes injury prevention, triage, acute care and rehabilitative
164 services for major single system or multisystem injuries that potentially require immediate
165 medical or surgical intervention or treatment;

166 [(47)] **(48)** "Trauma center", a hospital that is currently designated as such by the
167 department.

190.300. As used in sections 190.300 to [190.320] **190.340**, the following terms and
2 phrases mean:

3 (1) "Emergency telephone service", a telephone system utilizing a single three digit
4 number "911" for reporting police, fire, medical or other emergency situations;

5 (2) "Emergency telephone tax", a tax to finance the operation of emergency telephone
6 service;

7 (3) "Exchange access facilities", all facilities provided by the service supplier for local
8 telephone exchange access to a service user;

9 (4) "Governing body", the legislative body for a city, county or city not within a county;

10 (5) "Person", any individual, firm, partnership, copartnership, joint venture, association,
11 cooperative organization, corporation, municipal or private, and whether organized for profit or
12 not, state, county, political subdivision, state department, commission, board, bureau or fraternal
13 organization, estate, trust, business or common law trust, receiver, assignee for the benefit of
14 creditors, trustee or trustee in bankruptcy, or any other service user;

15 (6) "Public agency", any city, county, city not within a county, municipal corporation,
16 public district or public authority located in whole or in part within this state which provides or
17 has authority to provide fire fighting, law enforcement, ambulance, emergency medical, or other
18 emergency services;

19 (7) "Service supplier", any person providing exchange telephone services to any service
20 user in this state;

21 (8) "Service user", any person, other than a person providing pay telephone service
22 pursuant to the provisions of section 392.520 not otherwise exempt from taxation, who is
23 provided exchange telephone service in this state;

24 (9) "Tariff rate", the rate or rates billed by a service supplier to a service user as stated
25 in the service supplier's tariffs, approved by the Missouri public service commission which
26 represent the service supplier's recurring charges for exchange access facilities or their
27 equivalent, exclusive of all taxes, fees, licenses or similar charges whatsoever.

190.308. 1. In any county that has established an emergency telephone service pursuant
2 to sections 190.300 to [190.320] **190.340**, it shall be unlawful for any person to misuse the
3 emergency telephone service. For the purposes of this section, "emergency" means any incident
4 involving danger to life or property that calls for an emergency response dispatch of police, fire,
5 EMS or other public safety organization, "misuse the emergency telephone service" includes, but
6 is not limited to, repeatedly calling the "911" for nonemergency situations causing operators or
7 equipment to be in use when emergency situations may need such operators or equipment and
8 "repeatedly" means three or more times within a one-month period.

9 2. Any violation of this section is a class B misdemeanor.

10 3. No political subdivision shall impose any fine or penalty on the owner of a pay
11 telephone or on the owner of any property upon which a pay telephone is located for calls to the
12 emergency telephone service made from the pay telephone. Any such fine or penalty is hereby
13 void.

190.400. As used in sections 190.400 to 190.440, the following words and terms shall
2 mean:

3 (1) ["911", the primary emergency telephone number within the wireless system;

4 (2) "Board", the wireless service provider enhanced 911 advisory board;

5 (3)] "Public safety agency", a functional division of a public agency which provides fire
6 fighting, police, medical or other emergency services. For the purpose of providing wireless
7 service to users of 911 emergency services, as expressly provided in this section, the department
8 of public safety and state highway patrol shall be considered a public safety agency;

9 [(4)] (2) "Public safety answering point", the location at which 911 calls are [initially]
10 answered;

11 [(5)] (3) "Wireless service provider", a provider of commercial mobile service pursuant
12 to Section 332(d) of the Federal Telecommunications Act of 1996 (47 U.S.C. Section 151 et
13 seq).

190.420. 1. There is hereby established in the state treasury a fund to be known as the
2 "[Wireless Service Provider Enhanced] **Missouri 911 Service Fund**". All fees collected pursuant
3 to sections 190.400 to 190.440 **and sections 190.450 and 190.451** by wireless service providers
4 shall be remitted to the director of the department of revenue. The director shall remit such
5 payments to the state treasurer.

6 2. The state treasurer shall deposit such payments into the [wireless service provider
7 enhanced] **Missouri 911** service fund. Moneys in the fund shall be used for the purpose of
8 reimbursing expenditures actually incurred in the implementation and operation of the [wireless
9 service provider enhanced] **Missouri 911 [system] systems**.

10 3. Any unexpended balance in the fund shall be exempt from the provisions of section
11 33.080, relating to the transfer of unexpended balances to the general revenue fund, and shall
12 remain in the fund. Any interest earned on the moneys in the fund shall be deposited into the
13 fund.

**190.450. 1. In lieu of the tax levy authorized under section 190.305 or the sales tax
2 imposed under section 190.335, the governing body of any county may impose, by order
3 or ordinance, a monthly fee on any device capable of contacting 911. The fee authorized
4 in this section shall not exceed one dollar and fifty cents per any such device capable of
5 contacting 911, and shall be imposed solely for the purpose of funding 911 service in such
6 county. The fee authorized in this section shall be in addition to all other taxes and fees
7 imposed by law, and shall be stated separately from all other charges and taxes.**

8 **2. No such order or ordinance adopted under this section shall become effective
9 unless the governing body of the county submits to the voters residing within the county
10 at a state general, primary, or special election a proposal to authorize the governing body
11 to impose a fee under this section. The question submitted shall be in substantially the
12 following form:**

13 **"Shall (insert county name) County impose a monthly fee of (insert amount) per any
14 such device capable of contacting 911 on each such device for the purpose of funding 911
15 service in the county?"**.

16

17 **If a majority of the votes cast on the question by the qualified voters voting thereon are in
18 favor of the question, then the fee shall become effective on the first day of the second
19 calendar quarter after the director of revenue receives notification of adoption of the fee.
20 If a majority of the votes cast on the question by the qualified voters voting thereon are
21 opposed to the question, then the fee shall not become effective unless and until the
22 question is resubmitted under this section to the qualified voters and such question is
23 approved by a majority of the qualified voters voting on the question.**

24 **3. Except as modified in this section, all provisions of sections 32.085 and 32.087
25 shall apply to the fee imposed under this section.**

26 **4. All revenue collected under this section by the director of the department of
27 revenue on behalf of any county, except for one percent for the cost of collection which
28 shall be deposited in the state's general revenue fund, shall be deposited in the Missouri**

29 **911 service fund created in section 190.420. The state treasurer shall remit such funds to**
30 **the county on a monthly basis. The county commission shall control such funds remitted**
31 **to the county unless the county has established an elected board for the purpose of**
32 **administering such funds. In the event that any county has established a board under any**
33 **other provision of state law for the purpose of administering funds for 911 service, such**
34 **existing board may continue to perform such functions after the county has adopted the**
35 **monthly fee under this section.**

36 **5. Notwithstanding any other provision of law to the contrary, no proprietary**
37 **information submitted under this section shall be subject to subpoena or otherwise released**
38 **to any person other than to the submitting 911 communications service provider without**
39 **the express permission of such 911 communications service provider. General information**
40 **collected under this section shall only be released or published in aggregate amounts that**
41 **do not identify or allow identification of numbers of subscribers or revenues attributable**
42 **to an individual 911 communications service provider.**

43 **6. Notwithstanding any other provision of law to the contrary, in no event shall any**
44 **911 communications service provider, its officers, employees, assigns, or agents, be liable**
45 **for any form of civil damages or criminal liability that directly or indirectly result from,**
46 **or is caused by, an act or omission in the development, design, installation, operation,**
47 **maintenance, performance, or provision of a public safety answering point, or that directly**
48 **or indirectly result from, or is caused by, the release of subscriber information to any**
49 **governmental entity as required under this section unless such acts, release of subscriber**
50 **information, or omissions constitute gross negligence, recklessness, or intentional**
51 **misconduct. No cause of action shall lie in any court of law against any provider of**
52 **telecommunications service, commercial mobile service, or other communications-related**
53 **service, or its officers, employees, agents, or other persons acting on behalf of them, for**
54 **providing call location information concerning the user of any such service, in an**
55 **emergency situation, to a law enforcement official or agency in order to respond to a call**
56 **for emergency service by a subscriber, customer, or user of such service or for providing**
57 **caller location information or doing a ping locate in an emergency situation that involves**
58 **danger of death or serious physical injury to any person where disclosure of**
59 **communications relating to the emergency is required without delay, whether such**
60 **providing of information is required by law or voluntarily.**

61 **7. The fee imposed under this section shall not be imposed upon customers who pay**
62 **for service prospectively, known as prepaid wireless telecommunications service customers.**
63 **Prepaid wireless telecommunications service customers shall be subject to the charge**
64 **imposed under section 190.451.**

65 **8. The fee imposed under this section shall not be imposed upon any landline**
66 **capable of contacting 911 if such landline is already subject to a tax or fee imposed for the**
67 **purpose of funding 911 service in such county. The fee imposed under this section shall**
68 **not be imposed in conjunction with any tax imposed under section 190.305 or 190.335.**

69 **9. No county of the third classification shall submit a proposal to the voters of the**
70 **county under this section until either:**

71 **(1) All providers of emergency telephone service as defined in section 190.300**
72 **within the county are consolidated into one public agency as defined in section 190.300 that**
73 **provides emergency telephone service for the county; or**

74 **(2) The county develops a plan for implementation of emergency telephone service**
75 **as defined in section 190.300 within the county that considers either consolidation or**
76 **entering into a shared services agreement for such service if such an agreement is feasible.**

77 **10. Each county of the third classification that does not have a public agency as**
78 **defined in section 190.300 that provides emergency telephone service as defined in section**
79 **190.300 for the county shall either:**

80 **(1) Enter into a shared services agreement for providing emergency telephone**
81 **services with an adjoining county with a public agency that provides emergency telephone**
82 **service within such adjoining county, if such an agreement is feasible; or**

83 **(2) Form an emergency telephone services district in conjunction with any**
84 **adjoining county with a public agency that provides emergency telephone service within**
85 **such adjoining county. If such a district is formed under this paragraph, the governing**
86 **body of such district shall be the county commissioners of each county within the district,**
87 **and each county within such district shall submit to the voters of the county a proposal to**
88 **impose the fee under this section.**

190.451. 1. As used in this section, the following terms mean:

2 **(1) "Board", the Missouri 911 service board established under section 650.325;**

3 **(2) "Consumer", a person who purchases prepaid wireless telecommunications**
4 **service in a retail transaction;**

5 **(3) "Department", the department of revenue;**

6 **(4) "Prepaid wireless telecommunications service", a wireless telecommunications**
7 **service that allows a caller to dial 911 to access the 911 system, which service shall be paid**
8 **for in advance and is sold in predetermined units or dollars of which the number declines**
9 **with use in a known amount;**

10 **(5) "Provider", a person or business that provides prepaid wireless**
11 **telecommunications service under a license issued by the Federal Communications**
12 **Commission;**

13 (6) "Retail transaction", the purchase of prepaid wireless telecommunications
14 service from a seller for any purpose other than resale. The purchase of more than one
15 item that provides prepaid wireless telecommunication service, when such items are sold
16 separately, constitutes more than one retail transaction;

17 (7) "Seller", a person who sells prepaid wireless telecommunications service to
18 another person;

19 (8) "Wireless telecommunications service", commercial mobile radio service as
20 defined by Section 20.3 of Title 47 of the Code of Federal Regulations, as amended.

21 2. (1) Beginning October 1, 2013, except as provided in subsection 6 of this section,
22 there is hereby imposed a prepaid wireless emergency telephone service charge on each
23 retail transaction. The amount of such charge shall be equal to three percent of each retail
24 transaction. However, if a minimal amount of prepaid wireless telecommunications service
25 is sold with a prepaid wireless device for a single nonitemized price, then the seller may
26 elect not to apply such service charge to such transaction. For purposes of this subdivision,
27 an amount of service denominated as ten or fewer minutes, or five dollars or less, is
28 minimal.

29 (2) The prepaid wireless emergency telephone service charge shall be collected by
30 the seller from the consumer with respect to each retail transaction occurring in this state.
31 The amount of the prepaid wireless emergency telephone service charge shall be either
32 separately stated on an invoice, receipt, or other similar document that is provided to the
33 consumer by the seller, or otherwise disclosed to the consumer.

34 (3) For purposes of this subsection, a retail transaction that is effected in person by
35 a consumer at a business location of the seller shall be treated as occurring in this state if
36 that business location is in this state, and any other retail transaction shall be treated as
37 occurring in this state if the retail transaction is treated as occurring in this state under
38 state law.

39 (4) The prepaid wireless emergency telephone service charge is the liability of the
40 consumer and not of the seller or of any provider, except that the seller shall be liable to
41 remit all charges that the seller is deemed to collect where the amount of the charge has not
42 been separately stated on an invoice, receipt, or other similar document provided to the
43 consumer by the seller.

44 (5) The amount of the prepaid wireless emergency telephone service charge that is
45 collected by a seller from a consumer, if such amount is separately stated on an invoice,
46 receipt, or other similar document provided to the consumer by the seller, shall not be
47 included in the base for measuring any tax, fee, surcharge, or other charge that is imposed
48 by this state, any political subdivision of this state, or any intergovernmental agency.

49 **3. (1) Prepaid wireless emergency telephone service charges collected by sellers**
50 **shall be remitted to the department at the times and in the manner provided by state law**
51 **with respect to the sales and use taxes. The department shall establish registration and**
52 **payment procedures that substantially coincide with the registration and payment**
53 **procedures that apply under state law.**

54 **(2) Beginning on October 1, 2013, and ending on October 31, 2013, when a**
55 **consumer purchases prepaid wireless telecommunications service in a retail transaction**
56 **from a seller under this section, the seller shall be allowed to retain one hundred percent**
57 **of the prepaid wireless emergency telephone service charges that are collected by the seller**
58 **from the consumer. Beginning on November 1, 2013, a seller shall be permitted to deduct**
59 **and retain two percent of prepaid wireless emergency telephone service charges that are**
60 **collected by the seller from consumers.**

61 **(3) The department shall establish procedures by which a seller of prepaid wireless**
62 **telecommunications service may document that a sale is not a retail transaction, which**
63 **procedures shall substantially coincide with the procedures for documenting sale for resale**
64 **transactions for sales and use purposes under state law.**

65 **(4) The department shall deposit all remitted prepaid wireless emergency telephone**
66 **service charges into the Missouri 911 service fund created in section 190.420 within thirty**
67 **days of receipt, for use by the board. The department may deduct an amount, not to**
68 **exceed one percent of collected charges, to be retained by the department to reimburse its**
69 **direct costs of administering the collection and remittance of prepaid wireless emergency**
70 **telephone service charges.**

71 **(5) Ten percent of remitted prepaid wireless emergency telephone service charges**
72 **deposited in the Missouri 911 service fund created in section 190.420 under subdivision (4)**
73 **of this subsection shall be dedicated to the Missouri regional poison information center**
74 **established in section 190.353. The amount allocated under this subdivision shall not**
75 **exceed one million dollars in any twelve-month period, nor shall the Missouri regional**
76 **poison information center receive more than one million dollars from the Missouri 911**
77 **service fund in any one calendar year under this subdivision.**

78 **4. (1) A seller that is not a provider shall be entitled to the immunity and liability**
79 **protections under section 190.450, notwithstanding any requirement in state law regarding**
80 **compliance with Federal Communications Commission Order 05-116.**

81 **(2) A provider shall be entitled to the immunity and liability protections under**
82 **section 190.450.**

83 **(3) In addition to the protection from liability provided in subdivisions (1) and (2)**
84 **of this subsection, each provider and seller shall be entitled to the further protection from**

85 liability, if any, that is provided to providers and sellers of wireless telecommunications
86 service that is not prepaid wireless telecommunications service under section 190.450.

87 **5. The prepaid wireless emergency telephone service charge imposed by this section**
88 **shall be in addition to any other tax, fee, surcharge, or other charge imposed by this state,**
89 **any political subdivision of this state, or any intergovernmental agency for 911 funding**
90 **purposes.**

91 **6. This section shall not apply to any county with a charter form of government.**

650.320. For the purposes of sections 650.320 to 650.340, the following terms mean:

2 (1) ["Committee"] **"Board"**, the [advisory committee for] **Missouri** 911 service
3 [oversight] **board** established in section 650.325;

4 (2) "Public safety answering point", the location at which 911 calls are [initially]
5 answered;

6 (3) "Telecommunicator", any person employed as an emergency telephone worker, call
7 taker or public safety dispatcher whose duties include receiving, processing or transmitting
8 public safety information received through a 911 public safety answering point.

650.325. There is hereby established within the department of public safety the
2 ["Advisory Committee for 911 Service Oversight"] **"Missouri 911 Service Board"** which is
3 charged with assisting and advising the state in ensuring the availability, implementation and
4 enhancement of a statewide emergency telephone number common to all jurisdictions through
5 research, planning, training and education. The [committee for 911 service oversight] **board**
6 shall represent all entities and jurisdictions before appropriate policy-making authorities and the
7 general assembly and shall strive toward the immediate access to emergency services for all
8 citizens of this state.

650.330. 1. The [committee for 911 service oversight] **board** shall consist of [sixteen]
2 **twelve** members, one of which shall be chosen from the department of public safety [who shall
3 serve as chair of the committee and only vote in the instance of a tie vote among the other
4 members], and the other members shall be selected as follows:

5 (1) One member chosen to represent an association domiciled in this state whose primary
6 interest relates to [counties] **municipalities**;

7 (2) One member chosen to represent the Missouri [public service commission] **911**
8 **directors association**;

9 (3) One member chosen to represent emergency medical services **and physicians**;

10 (4) One member chosen to represent an association with a chapter domiciled in this state
11 whose primary interest relates to a national emergency number;

12 (5) One member chosen to represent an association whose primary interest relates to
13 issues pertaining to fire chiefs;

- 14 (6) One member chosen to represent an association with a chapter domiciled in this state
15 whose primary interest relates to issues pertaining to public safety communications officers;
- 16 (7) One member chosen to represent an association whose primary interest relates to
17 issues pertaining to police chiefs;
- 18 (8) [One member chosen to represent a league or association domiciled in this state
19 whose primary interest relates to issues pertaining to municipalities;
- 20 (9)] One member chosen to represent an association domiciled in this state whose
21 primary interest relates to issues pertaining to sheriffs;
- 22 [(10)] (9) One member chosen to represent [911 service providers in counties of the
23 second, third and fourth classification;
- 24 (11) One member chosen to represent 911 service providers in] counties [of the first
25 classification, with and] without charter forms of government[, and cities not within a county];
- 26 [(12)] (10) One member chosen to represent telecommunications service providers [with
27 at least one hundred thousand access lines located within Missouri];
- 28 [(13)] (11) One member chosen to represent **wireless** telecommunications service
29 providers [with less than one hundred thousand access lines located within Missouri;
- 30 (14) One member chosen to represent a professional association of physicians who
31 conduct with emergency care; and
- 32 (15) One member chosen to represent the general public of Missouri who represents an
33 association whose primary interest relates to education and training, including that of 911, police
34 and fire dispatchers].
- 35 2. Each of the members of the [committee for 911 service oversight] **board** shall be
36 appointed by the governor with the advice and consent of the senate for a term of four years;
37 except that, of those members first appointed, four members shall be appointed to serve for one
38 year, four members shall be appointed to serve for two years, four members shall be appointed
39 to serve for three years and four members shall be appointed to serve for four years. Members
40 of the committee may serve multiple terms.
- 41 3. The [committee for 911 service oversight] **board** shall meet at least quarterly at a
42 place and time specified by the chairperson of the committee and it shall keep and maintain
43 records of such meetings, as well as the other activities of the committee. Members shall not be
44 compensated but shall receive actual and necessary expenses for attending meetings of the
45 committee.
- 46 4. The [committee for 911 service oversight] **board** shall:
- 47 (1) Organize and adopt standards governing the committee's formal and informal
48 procedures;

- 49 (2) Provide recommendations for primary answering points and secondary answering
50 points on [statewide] technical and operational standards for 911 services;
- 51 (3) Provide recommendations to public agencies concerning model systems to be
52 considered in preparing a 911 service plan;
- 53 (4) Provide requested mediation services to political subdivisions involved in
54 jurisdictional disputes regarding the provision of 911 services, except that such committee shall
55 not supersede decision-making authority of local political subdivisions in regard to 911 services;
- 56 (5) Provide assistance to the governor and the general assembly regarding 911 services;
- 57 (6) Review existing and proposed legislation and make recommendations as to changes
58 that would improve such legislation;
- 59 (7) Aid and assist in the timely collection and dissemination of information relating to
60 the use of a universal emergency telephone number;
- 61 (8) Perform other duties as necessary to promote successful development,
62 implementation and operation of 911 systems across the state; [and]
- 63 (9) Advise the department of public safety on establishing rules and regulations
64 necessary to administer the provisions of sections 650.320 to 650.340;
- 65 **(10) Elect the chair from its membership;**
- 66 **(11) Designate a state 911 coordinator;**
- 67 **(12) Apply for and receive private and federal grants;**
- 68 **(13) Prepare and present a report to the governor and general assembly on the state**
69 **of the state's 911 systems;**
- 70 **(14) Administer and authorize grants and loans to counties, other than counties**
71 **with a charter form of government, that demonstrate a commitment to improving 911. The**
72 **purpose of grants from the 911 service fund shall include:**
- 73 **(a) Implementation of 911 services in every county of the state;**
- 74 **(b) Promotion of consolidation where appropriate;**
- 75 **(c) Mapping and addressing all county locations;**
- 76 **(d) Ensuring primary access and texting abilities to 911 services for disabled**
77 **residents;**
- 78 **(15) Report to the governor and the general assembly every five years on the status**
79 **of 911 services statewide as well as specific efforts to improve efficiency, cost effectiveness,**
80 **and levels of service;**
- 81 **(16) Conduct a survey every five years of public safety answering points in**
82 **Missouri to evaluate potential for improved services, coordination, and feasibility of**
83 **consolidation;**

84 **(17) Make and execute contracts or any other instruments and agreements**
85 **necessary or convenient for the exercise of its powers and functions.**

86 5. The department of public safety shall provide staff assistance to the [committee for
87 911 service oversight] **board** as necessary in order for the [committee] **board** to perform its
88 duties pursuant to sections 650.320 to 650.340.

89 6. The department of public safety is authorized to adopt those rules that are reasonable
90 and necessary to accomplish the limited duties specifically delegated within section 650.340.
91 Any rule or portion of a rule, as that term is defined in section 536.010, shall become effective
92 only if it has been promulgated pursuant to the provisions of chapter 536. This section and
93 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant
94 to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are
95 subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed
96 or adopted after August 28, 1999, shall be invalid and void.

 [190.410. 1. There is hereby created in the department of public safety
2 the "Wireless Service Provider Enhanced 911 Advisory Board", consisting of
3 eight members as follows:

4 (1) The director of the department of public safety or the director's
5 designee who shall hold a position of authority in such department of at least a
6 division director;

7 (2) The chairperson of the public service commission or the chairperson's
8 designee; except that such designee shall be a commissioner of the public service
9 commission or hold a position of authority in the commission of at least a
10 division director;

11 (3) Three representatives and one alternate from the wireless service
12 providers, elected by a majority vote of wireless service providers licensed to
13 provide service in this state; and

14 (4) Three representatives from public safety answering point
15 organizations, elected by the members of the state chapter of the associated
16 public safety communications officials and the state chapter of the National
17 Emergency Numbering Association.

18 2. Immediately after the board is established the initial term of
19 membership for a member elected pursuant to subdivision (3) of subsection 1 of
20 this section shall be one year and all subsequent terms for members so elected
21 shall be two years. The membership term for a member elected pursuant to
22 subdivision (4) of subsection 1 of this section shall initially and subsequently be
23 two years. Each member shall serve no more than two successive terms unless
24 the member is on the board pursuant to subdivision (1) or (2) of subsection 1 of
25 this section. Members of the board shall serve without compensation, however,
26 the members may receive reimbursement of actual and necessary expenses. Any
27 vacancies on the board shall be filled in the manner provided for in this
28 subsection.

- 29 3. The board shall do the following:
- 30 (1) Elect from its membership a chair and other such officers as the board
- 31 deems necessary for the conduct of its business;
- 32 (2) Meet at least one time per year for the purpose of discussing the
- 33 implementation of Federal Communications Commission order 94-102;
- 34 (3) Advise the office of administration regarding implementation of
- 35 Federal Communications Commission order 94-102; and
- 36 (4) Provide any requested mediation service to a political subdivision
- 37 which is involved in a jurisdictional dispute regarding the providing of wireless
- 38 911 services. The board shall not supersede decision-making authority of any
- 39 political subdivision in regard to 911 services.
- 40 4. The director of the department of public safety shall provide and
- 41 coordinate staff and equipment services to the board to facilitate the board's
- 42 duties.]

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